

MEMORANDUM

DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

P.O. Box 10009

Richmond, VA 23240-0009

SUBJECT: Guidance Memo No. 04-2012 - Guidance on Coordination of Water Permit Programs with the Virginia Department of Health

TO: Regional Directors

FROM: Larry G. Lawson, P.E., Director



DATE: May 25, 2004

COPIES: Regional Water Permit Managers, Jon Van Soestbergen, Terry Wagner, Cindy Berndt, Ellen Gilinsky, OWE Engineers, OWPS Staff, Jerry Peaks-VDH, Susan Douglas-VDH

Summary:

The purpose of this guidance is to document and notify water permitting staff of agreement reached with the Virginia Department of Health (VDH) regarding coordination of water permitting activities with the VDH. It lists the copies that VDH has requested for water permits and describes the protocol for sending them and obtaining VDH comments.

Electronic Copy:

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET and for the general public on DEQ's website at: <http://www.deq.state.va.us/water/>.

Contact information:

Please contact Mike Gregory, Office of Water Permit Support, (804) 698-4065 or mbgregory@deq.state.va.us if you have any questions about this guidance.

Disclaimer:

This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.

Guidance on Coordination of Water Permit Programs with the Virginia Department of Health

Background

Due to agency changes and shifting of responsibilities in both the Virginia Department of Health (VDH) and DEQ it is necessary to clarify what coordination should now take place between the two agencies with regard to the various water permits that DEQ issues. Some of the responsibilities previously assigned to VDH came over to DEQ with the Area Engineers now in the DEQ Office of Wastewater Engineering. Our main contact with VDH now will be with the VDH Office of Drinking Water, which needs information from DEQ when water permits are issued in order to determine public health impacts, although there will still be some contact with the VDH Office of Environmental Health Services as described below. For VPDES permits, the procedural manual will be updated to reflect the new requirements listed below.

All correspondence with VDH Office of Drinking Water will be with the VDH Office of Drinking Water Field Offices, not with their central office. Note the new address list for VDH that is attached. Some of the addresses have changed.

The DEQ Division of Water Quality has consulted with the VDH Office of Drinking Water and the VDH Office of Environmental Health Services. The following procedures document the minimum information transfer needs as agreed upon by our two agencies. Agreements made between the DEQ Regional Offices and VDH Office of Drinking Water Field Offices that accomplish the same or better results than those set forth in this Guidance Memo will be considered acceptable.

General Comments

In order to ensure the efficient transfer of time dependent information between the two agencies, each agency will utilize the most expedient form of communication including electronic mail and fax when contacting the other agency. When DEQ documents are transmitted to VDH, the DEQ staff member tracking the response (e.g., permit writer) should include a return email address and/or fax number as appropriate to facilitate VDH electronic or fax response. If a particular permit needs to be expedited, the DEQ Regional Office can contact the appropriate VDH Field Office to arrange for an expedited review utilizing fax or email.

VDH will respond to DEQ within 14 days of receipt of a permit document except for Sludge Management Plans (SMPs) and permit applications related to land application that are sent to the VDH Office of Environmental Health Services. For those documents VDH will respond to DEQ within 45 days of receipt. VDH Office of Drinking Water intends to respond to all applications but if the time limit is exceeded DEQ may assume no comment.

VPDES Individual Permits

- The DEQ Regional Office will send the appropriate VDH Office of Drinking Water Field Office a copy of all applications for issuances, reissuances or modifications (except minor modifications) for individual VPDES permits. This will include all municipal permits and all industrial permits regardless of sewage content or receiving stream classification. VDH has

indicated that in general they don't need attachments except for maps. The permit writer can use judgement to determine if attachments other than maps are integral to the application and include them if it is thought that the Office of Drinking Water would need them to determine health impacts, or if it is simpler to leave them attached to a copy package that has already been compiled. Municipal applications copies should be sent by the DEQ Regional Office rather than the permit applicant. This procedure will be changed in the permit manual.

- The transmittal letter to VDH should indicate whether the permit action is an issuance, a reissuance or a modification.
- It is not necessary to send VDH copies of draft or final permits unless specifically requested by VDH.
- The VDH Office of Drinking Water response will normally be a form that will identify the permit and indicate any VDH comments, including a Reliability Class recommendation where appropriate and if a copy of the draft permit is desired.
- The Office of Drinking Water will coordinate with the Local Health Districts as necessary so DEQ shouldn't have to contact them. We may receive a comment from them, but do not have to wait beyond the VDH Office of Drinking Water comment submittal or the 14 days, whichever occurs first.

VPDES General Permits

For now, only the Single Family Home general VPDES permit is of concern to the VDH. Due to the process for obtaining coverage under this permit, the Local Health District will be aware of requests for coverage, and they can coordinate with the Office of Drinking Water as necessary, so no registration statement copies need to be sent to VDH. A copy of the letter granting coverage for this general permit should be sent to the Local Health District so they know that it has been covered. The letter should identify the receiving stream 7Q10 to indicate which limits page applies. An example of the transmittal letter is attached.

VPA Individual Permits

A copy of all VPA individual applications should be sent to the VDH Office of Environmental Health Services, Division of Wastewater Engineering. The address is attached. This VDH Office will coordinate with other VDH units as necessary. No copies of the application or permit have to be sent to VDH Office of Drinking Water.

VPA General Permits

Copies of registration statements for the CAFO and Poultry general permits (and the CAFO VPDES general permit when adopted) should be sent to the appropriate VDH Office of Drinking Water Field Office.

Land Treatment (irrigation/subsurface) Systems

Land treatment of municipal wastewater may be covered by either VPDES or VPA permits. A copy of all VPDES or VPA applications for these should be sent to the DEQ OWE Area Engineers and the VDH Division of Wastewater Engineering. The VDH Division of Wastewater

Engineering wants to be represented at meetings with the permit applicant and in site evaluation. Site evaluation may be required prior to preparation of a draft permit.

Shellfish Waters

VPDES applications for discharges to waters below the fall zone (except the Chowan Basin) will continue to be sent separately to VDH Division of Shellfish Sanitation (DSS) in the Office of Environmental Health Services. (See address attached.) DSS has asked for all municipal applications and industrial applications for industrial discharges with 10% or more sewage component for permit actions other than minor modifications. They would also like to be sent copies of registration statements for Single Family Home, CAFO and Poultry facilities in areas below the fall zone.

Reliability Class Determination

For permit related projects (sewage treatment works) that require a Reliability Class determination the permit writer will receive a Reliability Class recommendation from the VDH Office of Drinking Water once they review the application. The permit writer should provide a copy of this recommendation to the DEQ Office of Wastewater Engineering and obtain input (concurrence or alternate recommendation) from the Area Engineer.

For non-permit related projects (e.g., pump stations) that require a Reliability Class determination by DEQ, the OWE Area Engineer should contact the VDH Office of Drinking Water Field Office to obtain their Reliability Class recommendation.

Sludge Management Plans

Sludge management plans that involve land application should be sent to the VDH Office of Environmental Health Services, Division of Wastewater Engineering. Information on new land application sites that are added during the permit term, as allowed by the approved Land Application Plan, should also be sent to this office. Sludge management plans not related to land application will not be copied to the VDH at all but will be reviewed internally with input from the DEQ Office of Wastewater Engineering as necessary.

CTCs and CTOs

VDH Office of Drinking Water would prefer not to receive copies of CTCs or CTOs.

VWPP

The VWPP regional staff forwards applications for water withdrawal projects to the VDH Office of Drinking Water Field Office. For other projects they send the VDH Office of Drinking Water Field Office a project description, location information and a map.

Groundwater Withdrawal Permits

For Groundwater Withdrawal permits, the Division of Water Resources Management sends a copy of the draft permit for withdrawals that supply public water systems to the VDH Office of Drinking Water Field Office.

SUMMARY:

DEQ should send documents to VDH as follows:

Send the VDH Office of Drinking Water Field Office individual VPDES permit applications for municipal and industrial issuances, reissuances and major modifications; registration statements for CAFO and Poultry; VWPP applications for water withdrawal projects, VWPP project descriptions for non-water withdrawal projects; GWW draft permits for projects that supply public water systems.

Send the VDH OEHS Division of Wastewater Engineering individual VPA applications, and permit applications and Sludge Management Plans that involve biosolids use, or land application of either treated effluent or treated sewage sludge.

Send the VDH OEHS Division of Shellfish Sanitation individual VPDES permit applications for issuances, reissuances or major modifications for municipals and industrials with 10% or greater sewage component that discharge below the fall zone except in the Chowan Basin; registration statements for Single Family Homes, CAFO and Poultry below the fall zone.

Send the Local Health Districts copies of the letter granting coverage under the Single Family Home general permit.

Virginia Department of Health Addresses and Phone Numbers

Office of Drinking Water Field Offices

Regional Office

ABINGDON
454 East Main Street
Abingdon, VA 24210
Telephone: (276) 676-5650
Fax: (276) 676-5659

Counties and Cities Served

Bland, Buchanan, Carroll, Dickinson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe
Cities: Bristol, Galax, Norton, Radford

CULPEPER
400 South Main St, 2nd Floor
Culpeper, VA 22701
Telephone: (540) 829-7340
Fax: (540) 829-7337

Arlington, Caroline, Culpeper, Fairfax, Fauquier, King George, Loudoun, Madison, Orange, Prince William, Rappahannock, Spotsylvania, Stafford
Cities: Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas, Manassas Park

DANVILLE
1347 Piney Forest Road
Danville, VA 24540
Telephone: (434) 836-8416
Fax: (434) 836-8424

Amelia, Amherst, Appomattox, Bedford, Buckingham, Brunswick, Campbell, Charlotte, Cumberland, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nottoway, Patrick, Pittsylvania, Prince Edward
Cities: Bedford, Danville, Lynchburg, Martinsville

LEXINGTON
131 Walker Street
Lexington, VA 24450-2431
Telephone: (540) 463-7136
Fax: (540) 463-3892

Albemarle, Alleghany, Augusta, Bath, Botetourt, Clarke, Craig, Frederick, Fluvanna, Greene, Highland, Louisa, Nelson, Page, Roanoke, Rockbridge, Rockingham, Shenandoah, Warren
Cities: Buena Vista, Charlottesville, Clifton Forge, Covington, Harrisonburg, Lexington, Roanoke, Salem, Staunton, Waynesboro, Winchester

EAST CENTRAL
300 Turner Road
Richmond, VA 23225
Telephone: (804) 674-2880
Fax: (804) 674-2815

Charles City, Chesterfield, Essex, Gloucester, Goochland, Hanover, Henrico, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Powhatan, Northumberland, Richmond, Westmoreland
Cities: Richmond

SOUTHEAST
830 Southampton Ave.
Rm. 2058
Norfolk, VA 23510
Telephone: (757) 683-2000
Fax: (757) 683-2007

Accomack, Dinwiddie, Greensville, Isle of Wight, James City, Northampton, Prince George, Southampton, Surry, Sussex, York
Cities: Chesapeake, Colonial Heights, Emporia, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Suffolk, Va. Beach, Williamsburg

Office of Environmental Health Services

Division of Wastewater Engineering
109 Governor Street, 5th Floor
Richmond, VA 23219
Telephone: (804) 864-7473
Fax: (804) 864-7475

Division of Shellfish Sanitation
109 Governor Street, Rm. 614B
Richmond, VA 23219
Telephone: (804) 864-7483
Fax: (804) 864-7475

Transmittal Letter for General Permit Coverage

Regional DEQ Letterhead
Date

Owner's Name
Owner's Address

RE: General VPDES Permit No. VAG400000[*insert individual discharge identification number*]
Facility Name
Facility Address
Receiving Stream 7Q10 [*insert < 0.2 MGD or ≥ 0.2 MGD*]

Dear Permittee:

We have reviewed your Registration Statement and determined that this domestic sewage treatment facility is hereby covered under the referenced General VPDES Permit. A copy of the permit is enclosed. Please read it carefully, because you are responsible for assuring that the treatment facility is operated and maintained in accordance with the limitations and conditions of the General Permit. Also enclosed is a form which may be used to request an ownership transfer for the General VPDES permit. If you wish to have the permit ownership transferred, please complete the form and return it to this office accordingly.

Receipt of this General VPDES Permit does not relieve any owner of the responsibility to comply with any other statute or regulations, including applicable regulations of the Department of Health adopted pursuant to §§ 32.1-163 and 32.1-164 of the Code of Virginia.

[*Insert the following paragraph only if the permittee requested an exception to the maintenance contract requirement by submitting an Operation and Maintenance Plan, and the plan was reviewed and approved*] Based on the review of the Operation and Maintenance Plan (Plan) submitted with the registration statement, exception to the maintenance contract requirement is granted and the Operation and Maintenance Plan submitted with the registration statement is approved. Should you fail to implement the approved Plan, or if there are violations of effluent limitations, the Department reserves the right to require you to obtain a maintenance contract.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Water Permit Manager

Enclosures: Permit No. VAG400000
Transfer of Ownership Agreement Form

cc: Local Health District